IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

MONDAY, THE 12TH NOVEMBER 2007 / 21ST KARTHIKA 1929

WP(C).No. 33194 of 2007(B)

PETITIONER:

BADARUDEEN, S/O.M.A.IBRAHIMKUTTY,
KAITHOTHU KONATHU PUTHENVEEDU, ARAKANNOOR,
ELANADU P.O., KOTTARAKKARA, KOLLAM DISTRICT.

BY ADV. SRI.NAGARAJ NARAYANAN
SRI.RAJAN VELLOTH
SRI.SAIJO HASSAN
SRI.A.S.SABU

RESPONDENTS:

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1. STATE OF KERALA,
REPRESENTED BY THE PRINCIPAL SECRETARY
HOME DEPARTMENT, GOVERNMENT OF KERALA,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. HOME SECRETARY, GOVERNMENT OF KERALA,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

3. ADDITIONAL DIRECTOR GENERAL OF POLICE,
KAP BATTALION, POLICE HEADQUARTERS,
THIRUVANANTHAPURAM.

4. THE COMMANDANT, KAP II BATTALION,
PALAKKAD.

BY GOVERNMENT PLEADER SRI.BEJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI,J.

W.P (C) No. 33194 of 2007

Dated this the 12th November, 2007

J U D G M E N T

The petitioner was advised for appointment as Police Constable in the year 1990. He was sent for statutory 9 months' training at KAP Battalion. Apparently, he was not able to complete the training. He was again sent for training at Palakkad which also could not be completed. In 1998, the petitioner was asked to furnish reasons for not presenting himself for training after 1998. Petitioner submitted a medical certificate. By Exhibit-P1 order issued in 2003, petitioner was asked to remit the bond amount of Rs. 5,000/-, in circumstances, where he did not undergo the training or complete the same. I also take note of the fact that apparently the petitioner had put forth rheumatic complaint as a reason for not undergoing the training. Exhibit-P2 was issued in consequence of Exhibit-P1 on 3.8.2006

After having heard the learned counsel for the petitioner and the learned Government Pleader, I do not find any illegality in Exhibits P1 and P2. Moreover, if the petitioner had originally been advised for appointment in the year 1990 it would be

impracticable to assume that the petitioner would be able to undergo such rigorous training even after a period of 18 years. At any rate, there is no infirmity in Exhibits P1 and P2. The writ petition is bereft of merit and the same is therefore, dismissed.

(V.GIRI, JUDGE)

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K.THANKAPPAN,J

CRL.A. NO.92 OF 1999

ORDER

25th May, 2007